The President's Radio Address

January 2, 2009

Good morning. Over the past week, I have been monitoring the situation in the Middle East closely with the members of my national security team. Secretary Rice is actively engaged in diplomacy. And I've been in contact with leaders throughout the region, including the King of Saudi Arabia, the King of Jordan, the President of Egypt, the President and Prime Minister of the Palestinian Territories, and the Prime Minister of Israel.

This recent outburst of violence was instigated by Hamas, a Palestinian terrorist group supported by Iran and Syria that calls for Israel's destruction. Eighteen months ago, Hamas took over the Gaza Strip in a coup, and since then has imported thousands of guns and rockets and mortars. Egypt brokered a cease-fire between Hamas and Israel, but Hamas routinely violated that cease-fire by launching rockets into Israel. On December 19th, Hamas announced an end to the cease-fire and soon unleashed a barrage of rockets and mortars that deliberately targeted innocent Israelis, an act of terror that is opposed by the legitimate leader of the Palestinian people, President Abbas.

In response to these attacks on their people, the leaders of Israel have launched military operations on Hamas positions in Gaza. As a part of their strategy, Hamas terrorists often hide within the civilian population, which puts innocent Palestinians at risk. Regrettably, Palestinian civilians have been killed in recent days.

The United States is deeply concerned about the humanitarian situation facing the Palestinian people. Since Hamas's violent takeover in the summer of 2007, living conditions have worsened for Palestinians in Gaza. By spending its resources on rocket launchers instead of roads and schools, Hamas has demonstrated that it has no intention of serving the Palestinian people. America has helped by providing tens of millions of dollars in humanitarian aid, and this week we contributed an additional $85 million through the United Nations. We have consistently called on all in the region to ensure that assistance reaches those in need. And as I told President Mubarak, America appreciates the role Egypt has played in facilitating the delivery of relief supplies in recent days.

In addition to reducing humanitarian suffering, all nations must work toward a lasting end to the violence in the Holy Land and a return to the path of peace. The United States is leading diplomatic efforts to achieve a meaningful cease-fire that is fully respected. Another one-way cease-fire that leads to rocket attacks on Israel is not acceptable. And promises from Hamas will not suffice; there must be monitoring mechanisms in place to help ensure that smuggling of weapons to terrorist groups in Gaza comes to an end. I urge all parties to pressure Hamas to turn away from terror and to support legitimate Palestinian leaders working for peace.

In the days ahead, the United States will stay closely engaged with our partners in the region, in Europe, and in the international community. My administration will continue to keep the President-elect and his team informed. And America's objectives in the Middle East will remain clear: We seek security and peace for our allies, the free people of Israel. For the Palestinian people, we seek a peaceful and democratic Palestinian state that serves its citizens and respects its neighbors. For all in the region, we seek an end to terror. And we seek an enduring peace based on justice, dignity, and human rights for every person in every nation of the Middle East.

Thank you for listening.

NOTE: The address was recorded at 10 a.m. on January 2 in the Cabinet Room at the White House for broadcast at 10:06 a.m. on January 3. The transcript was made available by the Office

of the Press Secretary on January 2. In his address, the President referred to King Abdallah bin Abd al-Aziz Al Saud of Saudi Arabia; King Abdullah II of Jordan; President Mohamed Hosni Mubarak of Egypt; President Mahmoud Abbas (Abu Mazen) and Prime Minister Salam Fayyad of the Palestinian Authority; Prime Minister Ehud Olmert of Israel; and President-elect Barack Obama. The Office of the Press Secretary also released a Spanish language transcript of this address. This item was not received in time for publication in the appropriate issue.

Presidential Determination on Waiver of Reimbursement Under the United Nations Participation Act to Support the United Nations/African Union Mission in Darfur

January 1, 2009

Presidential Determination No. 2009–10

Memorandum for the Secretary of State

Subject: Waiver of Reimbursement Under the United Nations Participation Act to Support the United Nations/African Union Mission in Darfur

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 10(d)(1) of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287e–2(d)(1)), I hereby determine that provision of assistance to the United Nations/African Union Mission in Darfur to support the airlift of equipment for peacekeeping in Darfur without reimbursement from the United Nations is important to the security interests of the United States.

You are authorized and directed to report this determination to the Congress and to arrange for its publication in the *Federal Register*.

George W. Bush

[Filed with the Office of the Federal Register, 8:45 a.m., January 12, 2009]

NOTE: This memorandum was released by the Office of the Press Secretary on January 5, and it will be published in the *Federal Register* on January 13.

Remarks Following a Meeting With First Vice President of Sudan and President of Southern Sudan Salva Kiir Mayardit

January 5, 2009

President Bush. I'm proud to be meeting again with the Vice President of Sudan. He's a friend of mine. He is a strong leader who is dealing with a very difficult situation.

We talked about two important subjects. One is the north-south agreement in Sudan. It's a vital agreement, and it's going to be very important for the United States to pay attention to the implementation of this agreement. And the Vice President brought me up to date on what has been accomplished and what still remains to be accomplished.

And I thank you for, one, your clear briefing, but also your leadership on this important issue.

And then the Vice President and I discussed Darfur. And he has taken the lead in helping the rebels come together so that there would be a more unified voice in negotiating a—hopefully, negotiating a peace with the Bashir Government.

I informed the Vice President that I have provided a waiver to the State Department so they can begin to move 240 containers worth of heavy equipment into Darfur, and that the Defense Department will be flying Rwanda equipment into Darfur to help facilitate the peacekeeping missions there.

So I want to thank you very much for coming back. It's good to be with you. He asked me whether or not I was going to still care about Sudan—after all, the north-south agreement was negotiated under my watch—and my answer is, absolutely, Mr. Vice President.

Finally, I've been—Secretary Rice was just here, and prior to Vice President's arrival we did talk about Gaza. I've been closely monitoring the situation in Gaza. I understand Israel's desire to protect itself, and that the situation now taking place in Gaza was caused by Hamas. Instead of caring about the people of Gaza, Hamas decided to use Gaza to launch rockets to kill innocent Israelis. And Israel has obviously decided to protect herself and her people.

The United States is concerned about the humanitarian crisis. We care about the people of Gaza and, therefore, have provided millions of dollars of fresh aid to the United Nations to help.

And finally, all of us, of course, would like to see violence stop, but not at expense of an agreement that does not prevent the crisis from happening again. I know people are saying, let's have that cease-fire, and those are noble ambitions. But any cease-fire must have the conditions in it so that Hamas does not use Gaza as a place from which to launch rockets.

There are many hopeful signs in the Middle East. Democracy is taking hold in parts of the world, in the Middle East, but the Hamas reminds us that there are people who are willing to kill innocent people to stop the advance of free societies. And the challenge for those of us who long for peace, Mr. Vice President, is to recognize the realities of the world, recognize we're in the midst of an ideological conflict, and work with the agents of peace.

I am still hopeful that some day there will be a Palestinian state living side by side with Israel in peace. I believe the Palestinian Authority under President Abbas has got the capacity and the foresight and the vision necessary to see that become a reality. In the meantime, all of us are going to have to deal with Hamas, those who threaten peace, those who want to deny the existence of a peaceful Palestinian state.

And so I welcome you, Mr. Vice President. Thank you for coming.

I told the Vice President his hat made me feel very much at home. [*Laughter*]

Vice President Kiir. Well, Your Excellency, thank you very much once again, and we are happy to be in the White House today. And I discussed with the—His Excellency the President the issues that he has raised, but mostly we came here to thank him and his administration for the commitment they have shown to the people of Sudan to bring peace and continue to monitor that peace, which ended the 21-year war. And that peace will remain in his records, that he was the only one who was able to continue monitoring the peace, negotiating it until it was signed.

This peace is now in existence. And we came to thank him and the whole administration and to wish him the best of his luck in his private missions that he's now going to take up after the assignment in the White House.

We have also told His Excellency the President that the people of southern Sudan, the people of the marginalized areas in the whole Sudan, will never forget him for all that he has done to them. And the people in Darfur, in particular, will still be looking forward to seeing to it that peace is brought to Darfur. It is a joint mission that we have taken upon ourselves, together with them, that we have to bring peace to Darfur the way we have brought peace to southern Sudan.

We have also talked issues of the LRA, that is the Lord's Resistance Army in northern Uganda, which has now shifted to Congo and southern Sudan, and how to handle it. This is a terrorist organization that does not have any respect of human life. And we'll have to deal with it so that they have to accept the regional changes that are happening and to be brought to—under control.

So this is in brief that I came to the White House, to pass to His Excellency the President of the United States of America, and to keep Sudan very close to his heart. Even if he becomes a private citizen in this country, he will still have a role to play. And we came to pass him also our Christmas and New Year's greetings since we have not met during the Christmas.

Thank you very much.

President Bush. Thank you, Mr. Vice President.

Thank you.

NOTE: The President spoke at 11:10 a.m. in the Oval Office at the White House. In his remarks, he referred to President Umar Hassan Ahmad al-Bashir of Sudan; and President Mahmoud Abbas (Abu Mazen) of the Palestinian Authority.

Remarks at a Military Appreciation Parade in Arlington, Virginia

January 6, 2009

Thank you very much. At ease.

Mr. Secretary, thank you for the kind introduction, and thank you for being an outstanding Secretary of Defense. For a while, we expected this event to be a joint retirement party. It didn't turn out that way, did it? [*Laughter*] I am pleased that President-elect Obama has asked you to stay on, and I am confident that you'll continue to be a strong leader as the Secretary of Defense.

And, Admiral Mullen, thank you for your strong advice, your clear thinking, and your years of service to our country.

I want to thank you for honoring Laura, who's been a fabulous First Lady. The military gave her the Distinguished Service Award; a lot of friends from Texas think she deserved the Purple Heart. [*Laughter*] I wish I'd have thought of the roses.

Mr. Vice President, I am proud to have served with you for 8 years. The military has had no stauncher defender in my administration than Vice President Dick Cheney.

I thank members of the Cabinet, members of the administration, and former members of the Cabinet, especially the former Secretary of Defense, who did an outstanding job, Secretary Don Rumsfeld.

I thank the current members of the Joint Chiefs and their families, as well as the former members of the Joint Chiefs and their families, for joining us today. I want to thank those who wear the uniform, distinguished guests.

As my time in office winds down, the days bring a series of lasts. I made my last overseas trip on Air Force One. I have delivered my final college commencement as President. And after much consideration, I pardoned my last Thanksgiving turkey. [*Laughter*] These have all been wonderful experiences. But nothing compares to the honor of standing before you today and addressing America's Armed Forces as your Commander in Chief.

Over the past 8 years, I have seen the valor of the American military time and time again. I saw your valor on September the 11th, 2001, in service members rushing into smoke-filled corridors to save their colleagues at the Pentagon and in planes patrolling the skies above New York City and Washington. I saw your valor in the days after the attack, when Americans crowded into recruiting centers across our country, raised their hands to serve, and pledged to defend our people and our freedom.

I saw your valor in the forces who deployed to Afghanistan. Within weeks of September the 11th, you closed down the terrorist training camps, and you drove the Taliban from power. I saw your valor in the fearless troops who stormed across the Iraqi desert and destroyed a regime that threatened America. I saw your valor in battle-tested warriors who signed up for a second or third or fourth tour and made the surge in Iraq one of the great successes in America's military history.

The valor of America's Armed Forces have made our Nation safer. Because you've taken the fight to the terrorists abroad, we have not had to face them here at home. And the world has seen something that almost no one thought possible: More than 7 years after September the 11th, there has not been another attack on American soil.

The decisions I made as your Commander in Chief have not always been popular. But the cause you have served has always been just and right. The missions you have carried out have always been necessary. And the work you have done has every bit—has been every bit as courageous and idealistic as that of any generation that came before you.

In the years since the war on terror began, America's Armed Forces have led the largest military liberation since World War II. Because of your actions, more than 50 million Afghans and Iraqis have seen the chains of despotism broken and are living in the liberty that the Creator intended. The new wave of freedom in the Middle East has made America more secure at home, because it is undermining the culture of tyranny that fosters radicalism.

There will become a day when your grandchildren will ask, "What did you do during your time in uniform?" And you'll be able to say, "We made the military stronger. We made the world freer. And we made America more secure."

You'll be able to tell them the story of the first decade in the 21st century, their early days of a generational struggle against terror and extremism. It is a story of a global coalition led by the United States that is dedicated

to eliminating the forces of oppression and fear. It is the story of the Iraqi people proudly holding up ink-stained fingers to show that the threat of violence could not break their commitment to liberty. It is the story of young girls going to school in Afghanistan after years when educating a woman could be punished with beatings or imprisonment. It is the story about the character in men and women who volunteered to leave the comforts of home to defend freedom and keep our Nation safe.

On behalf of the American people, I thank you for making that sacrifice. I know you have not shouldered the burdens of military life alone. You've had the support of strong and loving families to sustain you. And this morning, I want all of you and your families to hear your Commander in Chief loud and clear: We appreciate you; we love you; and we honor your service.

We also honor our wounded warriors and those who never returned home from the field of battle. In their sacrifices, we see one of the extraordinary legacies of our Armed Forces: the willingness to give everything to secure safety at home and liberty abroad.

As the Admiral pointed out, we saw that selfless spirit in people like Petty Officer Michael Monsoor, a Navy SEAL who served in Iraq. In the fall of 2006, on a rooftop in Iraq, Mike threw himself onto a grenade in order to save the lives of his teammates. As Admiral Mullen mentioned, I had the honor of presenting Michael Monsoor's parents his posthumous Medal of Honor in the White House. On that day, I saw the deep sadness that is familiar to anyone who has lost a loved one in the line of duty. But I also saw the pride that comes with such noble sacrifice and the recognition that our freedom and our security only endure because of the acts of bravery like Michael Monsoor's.

That kind of courage, character, and devotion defines our Armed Forces. So this morning, I cannot accept your kind tribute unless I'm allowed to return the favor. To the men and women of the Army, the Navy, the Air Force, Marine Corps, Coast Guard, and all those who serve in the Department of Defense: You have the respect of a grateful nation that you have kept safe. You have the admiration of millions around the world who would have never tasted freedom without you. You have the undying love and respect of a man who has been proud to call himself your Commander in Chief.

Two weeks from today, Laura and I will take our final trip back to Texas, or as you Texans understand, back to the promised land. We have the honor of doing it onboard a 747 piloted by the United States Air Force; Colonel Mark Tillman will be the lead pilot. This brings a fitting symmetry: The military brought me to Washington 8 years ago, and on January the 20th, the military is taking me home.

We will take with us many fond memories that we will cherish for the rest of our lives. We will always remember that you answered the call to serve when your Nation needed you most. We will always remember that you did your duty with honor and dignity. And we will always remember the debt of gratitude that each of us who lives in freedom owes to each of you who has protected it.

May God bless you. And may God always bless the United States.

NOTE: The President spoke at 10:21 a.m. at Fort Myer. In his remarks, he referred to George and Sally Monsoor, parents of posthumous Medal of Honor recipient PO 2d Class Michael A. Monsoor, USN. The transcript released by the Office of the Press Secretary also included the remarks of Adm. Michael G. Mullen, USN, Chairman, Joint Chiefs of Staff and Secretary of Defense Robert M. Gates.

Remarks on Signing Proclamations To Establish the Marianas Trench Marine National Monument, Pacific Remote Islands Marine National Monument, and the Rose Atoll Marine National Monument

January 6, 2009

Thank you all. Please be seated. Thank you for coming, and happy New Year. Laura and I thank all of our distinguished guests, starting with members of my Cabinet: Secretary Kempthorne, Secretary Gutierrez, Administrator Johnson. Admiral, thank you for coming today; we're proud you're here. Mr. Secretary, thank you for being here; other members of the administration who have joined

us. Members of the conservation community, we're glad you're here.

Governor, I am proud you're here. Thank you for coming. And Josie is with you. Representatives from American Samoa—by the way, Northern Mariana Islands Governor, just in case you don't know him. [*Laughter*] We know him, and we like him. And all the representatives from America Samoa, really appreciate you all coming. Apologize for the weather, but I don't apologize for the policy, because we're fixing to do some fabulous policy.

It's interesting that we're gathered a few steps from the office once occupied by a young Assistant Secretary of the Navy named Theodore Roosevelt. Not long after he left the position, he was back on these grounds as the 26th President of the United States. And exactly a hundred years ago, he embarked on his final weeks as the President—something I can relate to. [*Laughter*]

President Roosevelt left office with many achievements, and the most enduring of all was his commitment to conservation. As he once said: "Of all the questions which can come before the Nation, short of the actual preservation of its existence in a great war, there is none which compares in importance with leaving this land even a better land for our descendants than it is for us."

That spirit has guided the conservation movement for a century. It's guided my administration. Since 2001, we have put commonsense policies in place, and I can say upon departure, our air is cleaner, our water is purer, and our lands are better protected.

To build on this progress, I'm pleased to make several announcements today. Under the Antiquities Act that Theodore Roosevelt signed in 1906, the President can set aside places of historic or scientific significance to be protected as national monuments. With the proclamations I will sign in a few moments, I am using that authority to designate three beautiful and biologically diverse areas of the Pacific Ocean as new marine national monuments.

The first is—will establish the Marianas Trench Marine National Monument. At the heart of this protected area will be much of the Marianas Trench—the site of the deepest point on Earth—and the surrounding arc of undersea volcanoes and thermal vents. This unique geological region is more than five times longer than the Grand Canyon. It is deeper than Mount Everest is tall. It supports life in some of the harshest conditions imaginable. A fascinating array of species survive amid hydrogen-emitting volcanoes, hydrothermal vents that produce highly acidic and boiling water, and the only known location of liquid sulfur this side of Jupiter.

Many scientists—and I want to thank the scientists who have joined us today—believe extreme conditions like these could have been the first incubators of life on Earth. As further research is conducted in these depths, we will learn more about life at the bottom of the sea and about the history of our planet.

The other major features of the new monument are the majestic coral reefs off the coast of the upper three islands in the Commonwealth of the Northern Mariana Islands. These islands, some 5,600 miles from California, are home to a striking diversity of marine life, from large predators like sharks and rays to more than 300 species of stony corals. By studying these pristine waters, scientists can advance our understanding of tropical marine ecosystems not only there but around the world.

The second new monument will be the Pacific Remote Islands Marine National Monument. The monument will span seven areas to the far south and west of Hawaii. One is Wake Island, the site of a pivotal battle in World War II and a key habitat for nesting seabirds and migratory shorebirds. The monument will also include unique trees and grasses and birds adapted to life at the Equator, the rare sea turtles and whales and Hawaiian monk seals that visit Johnston Atoll, and some of the most pristine and spectacular coral reefs in the world. These isolated specks of land and abundant marine ecosystems are almost completely undisturbed by mankind. And as part of the Pacific Remote Islands National Monument, they will be ideal laboratories for scientific research.

The third new monument will be the Rose Atoll Marine National Monument. Rose is a diamond-shaped island to the east of American Samoa, our Nation's southernmost territory. It includes rare species of nesting

petrels, shearwaters, and terns, which account for its native name, "Island of Seabirds." The waters surrounding the atoll are the home of many rare species, including giant clams and reef sharks, as well as an unusual abundance of rose-colored corals. This area has long been renowned as a place of natural beauty. And now that it's protected by law, it will also be a place of learning for generations to come.

Taken together, these three new national monuments cover nearly 200,000 square miles, and they will now receive our Nation's highest level of environmental recognition and conservation. This decision came after a lot of consultation: consultation with local officials, consultation with prominent scientists, consultation with environmental advocates, consultation with the United States military and the fishing community. Based on these consultations, as well as sound resource management principles, the monuments will prohibit resource destruction or extraction, waste dumping, and commercial fishing. They will allow for research, free passage, and recreation, including the possibility of recreational fishing one day. For seabirds and marine life, they will be sanctuaries to grow and thrive. For scientists, they will be places to extend the frontiers of discovery. And for the American people, they will be places that honor our duty to be good stewards of the Almighty's creation.

The benefits of today's decision reach far beyond nature. The monuments will preserve sites of cultural and spiritual significance to native peoples. They will ensure full freedom of navigation and include measures to uphold training missions and other military operations. They will open the door to new economic benefits in the territories. After all, if travelers now, or students or scientists, book a ticket to Saipan or Pago Pago, they will know they're headed for a place with friendly people and a vibrant culture, and some of our country's most treasured natural resources.

This morning I'm also pleased—today I'm also pleased to share some news about two other national treasures. One is the Northwestern Hawaiian Islands Marine National Monument, which I created in 2006. This stunning island chain is the largest single conservation area in American history and the largest fully protected marine area in the world. And the other is Mount Vernon, the home of America's first President and an agricultural pioneer—that would be George Washington. I'm pleased to announce the United States will soon submit a request that these two landmarks become UNESCO World Heritage sites, America's first such submission in 15 years.

The new steps I've announced today are the capstone of an 8-year commitment to strong environmental protection and conservation. Look, I know that sounds contrary to the conventional wisdom of many in the news media. But let me just share a few facts about our record, and you can be the judge for yourself.

Since 2001, air pollution has dropped by 12 percent. The strictest air quality standards in American history are now in place, as are strong regulations on power plant and diesel engine emissions. More than 3.6 million acres of wetlands have been protected, restored, or improved. Millions of acres of vital natural habitat have been conserved on farms. More than 27 million acres of Federal forest land have been protected from catastrophic wildfires. The maintenance backlog in our national parks has been reduced. More than 11,000 abandoned industrial brownfields are on their way back to productive use. We've had a new focus on cleaning debris from our oceans. Popular recreational fish like the striped bass and red drum are gaining new protection. And new marine protected areas are helping improve the health of our fisheries off the southeast coast.

At the same time, we've taken aggressive steps to make America's energy supply cleaner and more secure and confronted the challenge of global climate change. I signed two major energy bills. We raised fuel efficiency standards for automobiles for the first time in more than a decade. We mandated major increases in the use of renewable fuels and the efficiency of lighting and appliances.

We dedicated more than $18 billion to developing clean and efficient technologies like biofuels, advanced batteries and hydrogen fuel cells, solar and wind power, and clean, safe nuclear power. We're providing more

than $40 billion in loan guarantees to put these technologies to use.

We forged an international agreement under the Montreal Protocol mandating major cuts in refrigerants that are some of the most potent greenhouse gases. We built international consensus on an approach that will replace the Kyoto Protocol with a global climate agreement that calls for meaningful commitments to reduce greenhouse gases from all major economies, including China and India.

With all these steps, we have charted the way toward a more promising era in environmental stewardship. We have pioneered a new model of cooperative conservation in which government and private citizens and environmental advocates work together to achieve common goals. And while there's a lot more work to be done, we have done our part to leave behind a cleaner and healthier and better world for those who follow us on this Earth.

And now I'd like those who have been assigned the task of standing up here to join me as I sign the national monuments.

NOTE: The President spoke at 2:08 p.m. in Room 350 of the Dwight D. Eisenhower Executive Office Building. In his remarks, he referred to Vice Adm. Conrad C. Lautenbacher, Jr., USN (Ret.), in his capacity as Administrator of the National Oceanic and Atmospheric Administration; and Gov. Benigno Fitial of the Northern Mariana Islands and his wife Josie. The Office of the Press Secretary also released a Spanish language transcript of these remarks.

Statement on the Establishment of the Marianas Trench Marine National Monument, Pacific Remote Islands Marine National Monument, and the Rose Atoll Marine National Monument

January 6, 2009

Ensuring Navigations Rights and Freedoms, and the Global Mobility of U.S. Armed Forces in the World's Oceans

On June 15, 2006, I established the Northwestern Hawaiian Islands Marine National Monument, and on May 15, 2007, I instructed the U.S. delegation to the International Maritime Organization to submit a proposal for international measures to enhance protection of the monument. On April 4, 2008, the International Maritime Organization adopted our proposal, and the Papahanaumokuakea Particularly Sensitive Sea Area (PSSA) was established.

On this occasion of the establishment of the Marianas Trench Marine National Monument, the Pacific Remote Islands Marine National Monument, and the Rose Atoll Marine National Monument, I confirm that the policy of the United States shall be to continue measures established in the Papahanaumokuakea Marine National Monument to protect the training, readiness, and global mobility of U.S. Armed Forces, and ensure protection of navigation rights and high seas freedoms under the law of the sea, which are essential to the peace and prosperity of civilized nations.

The security of America, the prosperity of its citizens, and the protection of the ocean environment are complementary and reinforcing priorities. As the United States takes measures to conserve and protect the living and non-living resources of the ocean, it shall ensure preservation of the navigation rights and high seas freedoms enjoyed by all nations under the law of the sea, including in particular:

- The right of innocent passage in territorial seas, without requirement for prior notification to or permission from a coastal state.
- The right of transit passage for ships, submarines, and aircraft in straits used for international navigation; a right that may not be suspended, denied, hampered, or impaired.
- The right of archipelagic sea lanes passage in designated sea lanes and air routes, and passage routes normally used for international navigation in archipelagic nations.
- The exercise of high seas freedoms in exclusive economic zones, including the conduct of military activities, exercises, and surveys.

The United States shall recognize and apply navigation rights and freedoms under the law of the sea when establishing marine

protected areas, just as it did in the Northwestern Hawaiian Islands Marine National Monument and in today's monument proclamations. The United States will exercise the same rights and freedoms in similarly protected areas and waters of foreign nations. In addition, the United States, through its executive agencies, shall provide for the readiness, training, and global mobility of U.S. Armed Forces in its establishment of marine conservation areas.

Management of Submerged Lands

The Commonwealth of the Northern Mariana Islands (CNMI) is the only United States territory that does not have title to the submerged lands beneath that portion of the United States territorial sea that is within 3 miles of the coastlines of the CNMI. It is appropriate that the CNMI be given the same authority as the other territories. In 2005, my administration supported legislation that would have provided the CNMI with such ownership, consistent with what was granted to Guam, the Virgin Islands, and American Samoa in October 1974.

My administration also recognizes, as was recognized in 1974, the need to reserve Federal title in certain submerged lands, including submerged lands for use by our Nation's military, which is moving forces to the area from Okinawa, Japan. It is in the interest of the security of our Nation to reserve the necessary areas for national defense, while also ensuring the people of the CNMI have the benefit and enjoyment of the rights coming with ownership of submerged lands out to 3 miles.

To this end, I have asked the Secretary of the Interior to submit legislation that, subject to valid existing rights, transfers to the CNMI the existing rights and title of the Federal Government over submerged lands within 3 miles of the coast of the CNMI, consistent with that provided to Guam, the Virgin Islands, and American Samoa, and I urge the Congress to promptly pass such legislation.

I have also directed the Department of the Interior to develop legislation and procedures for the management and administration of recovery of mineral resources in areas of the Pacific, outside the monument, that are not currently covered by existing offshore mineral resource law, including authority and procedures for obtaining royalties and assessing fees and for revenue sharing, as appropriate.

Proclamation 8335—Establishment of the Marianas Trench Marine National Monument

January 6, 2009

By the President of the United States of America

A Proclamation

Over approximately 480 nautical miles, the Mariana Archipelago encompasses the 14 islands of the United States Commonwealth of the Northern Mariana Islands and the United States Territory of Guam that sit atop the Mariana Ridge in an area known as the Mariana Volcanic Arc. The Mariana Volcanic Arc is part of a subduction system in which the Pacific Plate plunges beneath the Philippine Sea Plate and into the Earth's mantle, creating the Mariana Trench. Six of the archipelago's islands have been volcanically active in historic times, and numerous seamounts along the Mariana Ridge are volcanically or hydrothermically active. The Mariana Trench is approximately 940 nautical miles long and 38 nautical miles wide within the United States Exclusive Economic Zone and contains the deepest known points in the global ocean.

The Mariana Volcanic Arc contains objects of scientific interest, including the largest active mud volcanoes on Earth. The Champagne vent, located at the Eifuku submarine volcano, produces almost pure liquid carbon dioxide. This phenomenon has only been observed at one other site in the world. The Sulfur Cauldron, a pool of liquid sulfur, is found at the Daikoku submarine volcano. The only other known location of molten sulfur is on Io, a moon of Jupiter. Unlike other reefs across the Pacific, the northernmost Mariana reefs provide unique volcanic habitats that support marine biological communities requiring basalt. Maug Crater represents one of only a handful of places on

Earth where photosynthetic and chemosynthetic communities of life are known to come together.

The waters of the archipelago's northern islands are among the most biologically diverse in the Western Pacific and include the greatest diversity of seamount and hydrothermal vent life yet discovered. These volcanic islands are ringed by coral ecosystems with very high numbers of apex predators, including large numbers of sharks. They also contain one of the most diverse collections of stony corals in the Western Pacific. The northern islands and shoals in the archipelago have substantially higher large fish biomass, including apex predators, than the southern islands and Guam. The waters of Farallon de Pajaros (also known as Uracas), Maug, and Asuncion support some of the largest biomass of reef fishes in the Mariana Archipelago. These relatively pristine coral reef ecosystems are objects of scientific interest and essential to the long-term study of tropical marine ecosystems.

Whereas the submerged volcanic areas of the Mariana Ridge, the coral reef ecosystems of the waters surrounding the islands of Farallon de Pajaros, Maug, and Asuncion in the Commonwealth of the Northern Mariana Islands, and the Mariana Trench contain objects of scientific interest that are situated upon lands owned or controlled by the Government of the United States;

Whereas the United States continues to act in accordance with the balance of interests relating to traditional uses of the oceans recognizing freedom of navigation and overflight and other internationally recognized lawful uses of the sea;

Whereas the islands, waters, and airspace of the Mariana Ridge are of particular importance to the national security of the United States;

Whereas section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431)(the "Antiquities Act") authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon lands owned or controlled by the Government of the United States to be national monuments, and to reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected;

Whereas it is in the public interest to preserve the known volcanic areas of the Mariana Ridge, the marine environment around the islands of Farallon de Pajaros, Maug, and Asuncion in the Commonwealth of the Northern Mariana Islands, and the Mariana Trench for the care and management of the scientific objects therein:

Now, Therefore, I, George W. Bush, President of the United States of America, by the authority vested in me by section 2 of the Antiquities Act do proclaim that there are hereby set apart and reserved as the Marianas Trench Marine National Monument (the "monument" or "marine national monument") for the purpose of protecting the objects identified above, all lands and interests in lands owned or controlled by the Government of the United States within the boundaries described below and depicted on the accompanying map entitled "Marianas Trench Marine National Monument" attached to and forming a part of this proclamation. The monument includes the waters and submerged lands of the three northernmost Mariana Islands (the "Islands Unit") and only the submerged lands of designated volcanic sites (the "Volcanic Unit") and the Mariana Trench (the "Trench Unit") to the extent described as follows: The seaward boundaries of the Islands Unit of the monument extend to the lines of latitude and longitude depicted on the accompanying map, which lie approximately 50 nautical miles from the mean low water line of Farallon de Pajaros (Uracas), Maug, and Asuncion. The inland boundary of the Islands Unit of the monument is the mean low water line. The boundary of the Trench Unit of the monument extends from the northern limit of the Exclusive Economic Zone of the United States in the Commonwealth of the Northern Mariana Islands to the southern limit of the Exclusive Economic Zone of the United States in Guam approximately following the points of latitude and longitude identified on the accompanying map. The boundaries of the Volcanic Unit of the monument include a circle drawn with a 1 nautical

mile radius centered on each of the volcanic features identified on the accompanying map and its legend. The Federal land and interests in land reserved consists of approximately 95,216 square miles of submerged lands and waters of the Mariana Archipelago, which is the smallest area compatible with the proper care and management of the objects to be protected.

Submerged lands that by legislation are subsequently granted by the United States to the Commonwealth of the Northern Mariana Islands but remain controlled by the United States under the Antiquities Act may remain part of the monument, for coordination of management with the Government of the Commonwealth of the Northern Mariana Islands. Any submerged lands and interests in submerged lands within the monument not owned or controlled by the United States shall be reserved as a part of the monument upon acquisition of title or control by the United States.

Management of the Marine National Monument

The Secretaries of Commerce, through the National Oceanic and Atmospheric Administration, and the Interior, shall manage the monument pursuant to applicable legal authorities and in consultation with the Secretary of Defense. The Secretary of the Interior shall have management responsibility for the monument, in consultation with the Secretary of Commerce, except that the Secretary of Commerce shall have the primary management responsibility, in consultation with the Secretary of the Interior, with respect to fishery-related activities regulated pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*) and any other applicable authorities. The Secretaries of the Interior and Commerce shall not allow or permit any appropriation, injury, destruction, or removal of any feature of this monument except as provided for by this proclamation or as otherwise provided for by law.

The Secretaries of the Interior and Commerce shall take appropriate action pursuant to their respective authorities under the Antiquities Act and the Magnuson-Stevens Fishery Conservation and Management Act, and such other authorities as may be available to implement this proclamation, to regulate fisheries, and to ensure proper care and management of the monument.

Regulation of Scientific Exploration and Research

Subject to such terms and conditions as the Secretary deems necessary for the care and management of the objects of this monument, the Secretary of the Interior may permit scientific exploration and research within the monument, including incidental appropriation, injury, destruction, or removal of features of this monument for scientific study, and the Secretary of Commerce may permit fishing within the monument for scientific exploration and research purposes to the extent authorized by the Magnuson-Stevens Fishery Conservation and Management Act. The prohibitions required by this proclamation shall not restrict scientific exploration or research activities by or for the Secretaries, and nothing in this proclamation shall be construed to require a permit or other authorization from the other Secretary for their respective scientific activities.

Regulation of Fishing and Management of Fishery Resources

Within the Islands Unit of the monument, the Secretary of Commerce shall prohibit commercial fishing. Subject to such terms and conditions as the Secretary of Commerce deems necessary for the care and management of the objects of the Islands Unit, the Secretary, consistent with Executive Order 12962 of June 7, 1995, as amended, shall ensure that sustenance, recreational, and traditional indigenous fishing shall be managed as a sustainable activity consistent with other applicable law and after due consideration with respect to traditional indigenous fishing of any determination by the Government of the Commonwealth of the Northern Mariana Islands.

Monument Management Planning

The Secretaries of the Interior and Commerce shall, within 2 years of the date of this proclamation, prepare management plans

within their respective authorities and promulgate implementing regulations that address any further specific actions necessary for the proper care and management of the objects identified in this proclamation. In developing and implementing any management plans and any management rules and regulations, the Secretaries shall designate and involve as cooperating agencies the agencies with jurisdiction or special expertise, including the Department of Defense, the Department of State, and other agencies through scoping in accordance with the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*), its implementing regulations and with Executive Order 13352 of August 26, 2004, Facilitation of Cooperative Conservation, and shall treat as a cooperating agency the Government of the Commonwealth of the Northern Mariana Islands, consistent with these authorities. The monument management plans shall ensure that the monument will be administered in accordance with this proclamation, and shall, as appropriate to their respective authorities, provide for:

1. management of the Islands Unit of the monument, in consultation with the Government of the Commonwealth of the Northern Mariana Islands, including designation of specific roles and responsibilities and the means of consultation on management decisions as appropriate, without affecting the respective authorities or jurisdictions of the Commonwealth of the Northern Mariana Islands or the Secretaries of the Interior or of Commerce;

2. public education programs and public outreach regarding the coral reef ecosystem and related marine resources and species of the monument and efforts to conserve them;

3. traditional access by indigenous persons, as identified by the Secretaries in consultation with the Government of the Commonwealth of the Northern Mariana Islands, for culturally significant subsistence, cultural and religious uses within the monument;

4. a program to assess and promote monument-related scientific exploration and research, tourism, and recreational and economic activities and opportunities in the Commonwealth of the Northern Mariana Islands;

5. a process to consider requests for recreational fishing permits in certain areas of the Islands Unit, based on an analysis of the likely effects of such fishing on the marine ecosystems of these areas, sound professional judgment that such fishing will not materially interfere with or detract from the fulfillment of the purposes of this proclamation, and the extent to which such recreational fishing shall be managed as a sustainable activity consistent with Executive Order 12962, as amended, and other applicable law; and

6. programs for monitoring and enforcement necessary to ensure that scientific exploration and research, tourism, and recreational and commercial activities do not degrade the monument's coral reef ecosystem or related marine resources or species or diminish the monument's natural character.

The management plans and their implementing regulations shall impose no restrictions on innocent passage in the territorial sea or otherwise restrict navigation, overflight, and other internationally recognized lawful uses of the sea, and shall incorporate the provisions of this proclamation regarding Armed Forces actions and compliance with international law.

This proclamation shall be applied in accordance with international law. No restrictions shall apply to or be enforced against a person who is not a citizen, national, or resident alien of the United States (including foreign flag vessels) unless in accordance with international law.

Nothing in this proclamation shall be deemed to diminish or enlarge the jurisdiction of the Commonwealth of the Northern Mariana Islands.

Advisory Council

The Secretaries of the Interior and Commerce, within 3 months of the date of this proclamation and after considering recommendations from the Governor of the Commonwealth of the Northern Mariana Islands, the Secretary of Defense, and the Secretary of Homeland Security, shall establish the Mariana Monument Advisory Council to provide advice and recommendations on the development of management plans and management of the monument. The Advisory Council shall consist of three officials of the

Government of the Commonwealth of the Northern Mariana Islands and one representative each from the Department of Defense and the United States Coast Guard.

Members of the Advisory Council will be appointed for a term of 3 years by the Secretaries of the Interior and Commerce after nomination by the head of the pertinent executive branch agency or, with respect to the officials of the Government of the Commonwealth of the Northern Mariana Islands, by the Governor of the Commonwealth of the Northern Mariana Islands. The Advisory Council will adopt such procedures as it deems necessary to govern its activities. Each participating agency shall be responsible for the expenses of its representative and the Departments of the Interior and Commerce shall be equally responsible for the costs of the Advisory Council.

Emergencies, National Security, and Law Enforcement Activities

1. The prohibitions required by this proclamation shall not apply to activities necessary to respond to emergencies threatening life, property, or the environment, or to activities necessary for national security or law enforcement purposes.

2. Nothing in this proclamation shall limit agency actions to respond to emergencies posing an unacceptable threat to human health or safety or to the marine environment and admitting of no other feasible solution.

Armed Forces Actions

1. The prohibitions required by this proclamation shall not apply to activities and exercises of the Armed Forces (including those carried out by the United States Coast Guard).

2. The Armed Forces shall ensure, by the adoption of appropriate measures not impairing operations or operational capabilities, that its vessels and aircraft act in a manner consistent, so far as is reasonable and practicable, with this proclamation.

3. In the event of threatened or actual destruction of, loss of, or injury to a monument living marine resource resulting from an incident, including but not limited to spills and groundings, caused by a component of the Department of Defense or the United States Coast Guard, the cognizant component shall promptly coordinate with the Secretary of the Interior or Commerce, as appropriate, for the purpose of taking appropriate actions to respond to and mitigate any actual harm and, if possible, restore or replace the monument resource or quality.

4. Nothing in this proclamation or any regulation implementing it shall limit or otherwise affect the Armed Forces' discretion to use, maintain, improve, manage, or control any property under the administrative control of a Military Department or otherwise limit the availability of such property for military mission purposes.

This proclamation is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies, instrumentalities, or entities, its officers, employees, agents, or any other person.

All Federal lands and interests in lands within the boundaries of this monument are hereby withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, to the extent that those laws apply.

The establishment of this monument is subject to valid existing rights.

Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the national monument shall be dominant over any other existing Federal withdrawal, reservation, or appropriation.

Warning is hereby given to all unauthorized persons not to appropriate, excavate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any lands thereof.

In Witness Whereof, I have hereunto set my hand this sixth day of January, in the year of our Lord two thousand nine, and of the Independence of the United States of America the two hundred and thirty-third.

George W. Bush

[Filed with the Office of the Federal Register, 8:45 a.m., January 9, 2009]

NOTE: This proclamation and its annex were published in the *Federal Register* on January 12.

Proclamation 8336—Establishment of the Pacific Remote Islands Marine National Monument

January 6, 2009

By the President of the United States of America

A Proclamation

The Pacific Remote Islands area consists of Wake, Baker, Howland, and Jarvis Islands, Johnston Atoll, Kingman Reef, and Palmyra Atoll, which lie to the south and west of Hawaii. With the exception of Wake Island, these islands are administered as National Wildlife Refuges by the United States Fish and Wildlife Service of the Department of the Interior. These refuges are an important part of the most widespread collection of marine- and terrestrial-life protected areas on the planet under a single country's jurisdiction. They sustain many endemic species including corals, fish, shellfish, marine mammals, seabirds, water birds, land birds, insects, and vegetation not found elsewhere.

Wake Island, to the west of Honolulu, Hawaii, is the northernmost atoll in the Marshall Islands geological ridge and perhaps the oldest living atoll in the world. Though it was substantially modified by the United States to create a military base before and after World War II, its major habitats are the three low coral islands consisting of shells, coral skeletons, and sand, supporting atoll vegetation adapted to arid climate. Wake Island supports 12 species of resident nesting seabirds and 6 species of migratory shorebirds, including 2 species of tropicbirds, 3 species of boobies, Great Frigatebird, Sooty Tern, Brown Noddy, and Wedge-tailed Shearwater. Black-footed Albatross and Laysan Albatross recently recolonized Wake Island, making it one of the few northern albatross colonies outside the Hawaiian archipelago.

Shallow coral reefs thrive around the perimeter of Wake Island. Fish populations are abundant and support at least 323 species, including large populations of the Napoleon wrasse (*Chelinus*), sharks of several species, and large schools of the Bumphead parrotfish (*Bolbometapon*), all of which are globally depleted. Beyond the shallow reefs, the outer reef slope descends sharply to great depths.

Baker, Howland, and Jarvis Islands were first formed as fringing reefs around islands formed by Cretaceous-era volcanoes (approximately 120–75 million years ago). As the volcanoes subsided, the coral reefs grew upward, maintaining proximity to the sea surface. These low coral islands consist of coral rock, shells, and sand that support trees, shrubs, and grasses adapted to the arid climate at the equator. All three are surrounded by shallow coral reefs to depths of 100 meters, below which the reef slope descends steeply to great depths. Deep coral forests occur below photic zones of all three islands at depths below 200 meters, especially at Jarvis where surveys have revealed living colonies of precious and ancient gold coral up to 5,000 years old.

The waters surrounding Baker, Howland, and Jarvis Islands have fish biomass double that of the Papahanaumokuakea Marine National Monument, and 16 times that of the main Hawaiian Islands, due to the Equatorial Undercurrent that moves from west to east along the equator, creating localized nutrient-rich upwellings in shallows next to the islands. These are three of only six islands in the entire Pacific Ocean where this phenomenon is possible. These islands are high in coral cover and biodiversity and are predator-dominated systems. Their biomass of top predators exceeds that of the Great Barrier Reef or Kenyan Marine Protected Areas. The islands now host about a dozen nesting bird species including several nesting and migratory bird species that are of conservation significance. Jarvis alone has nearly 3 million pairs of Sooty Terns. There are about 300 fish species found off the islands. Giant clams (*Tridacna*), Napoleon wrasses, and Bumphead parrotfish are common, and sharks of many species are especially abundant at Jarvis and commonly larger there than elsewhere. Endangered hawksbill turtle and threatened green turtles forage in nearshore waters. All three islands afford unique opportunities to conduct climate change research at the equator, far from population centers. The coral skeletons there have recorded the earth's climatic history for many millions of years.

Johnston Atoll, the northernmost island in the island chain, is an ancient atoll and probably one of the oldest in the Pacific Ocean. Unlike most atolls, it does not have a surrounding barrier reef but has a semicircular emergent reef around the north and western margins of the island. Four major habitats characterize Johnston: low-lying islets consisting of the remains of corals and shells, shallow coral reefs to depths of 150 meters, deeper reefs to depths of 1,000 meters or more, and the slope of the ancient volcano on which the island rests.

Johnston is a genetic and larval stepping stone from the Remote Islands to the Hawaiian Islands for invertebrates, other reef fauna, corals, and dolphins. Despite its isolation, Johnston supports thriving communities of Table corals (*Acropora*) and a total of 45 coral species, including a dozen species confined to the Hawaiian and northern Line Islands. Some 300 species of reef fish are at Johnston, including the endemic Nahacky's pygmy angelfish. Many threatened, endangered, and depleted species thrive there, including the green turtle, hawksbill turtle, pearl oyster, giant clams, reef sharks, groupers, humphead wrasse, bumphead parrotfish, whales, and dolphins. Endangered Hawaiian Monk Seals occasionally visit the atoll. Deep diving submersible surveys have revealed that Johnston supports the deepest reef building corals (*Leptoseris*) on record and large populations of hydrozoan corals (*Millepora, Distichopora*, *Staylaster*). Land areas support large populations of migratory shorebirds and resident seabird species, including populations of regional, national, or international significance: Wedge-tailed Shearwaters, Christmas Shearwaters, Red-tailed Tropicbirds, Brown Boobies, Great Frigatebirds, Gray-backed Terns, and White Terns. Approximately 200 threatened Green turtles forage at Johnston. The surrounding waters are used by six depleted or endangered listed cetacean species: Sperm, Blue, Sei, Humpback, and North Pacific Right whales. Spinner dolphins are abundant, and endangered Humpback whales may calve there.

Palmyra Atoll is a classic Darwinian atoll that formed atop a sinking Cretaceous-era volcano. Kingman Reef formed in the same manner but is considered an atoll reef because it lacks permanent fast land areas or islands. Kingman Reef contains a sheltered lagoon that served as a way station for flying boats on Hawaii-to-American Samoa flights during the late 1930s. There are no terrestrial plants on the reef, which is frequently awash, but it does support abundant and diverse marine fauna and flora. Palmyra Atoll is managed by the United States Fish and Wildlife Service as a wildlife refuge. In 2001, the Secretary of the Interior established National Wildlife Refuges at Palmyra Atoll and Kingman Reef.

Palmyra Atoll and Kingman Reef are known to be among the most pristine coral reefs in the world, with a fully structured inverted food web. Kingman Reef is the most pristine of any reef under U.S. jurisdiction. They are ideal laboratories for assessing effects of climate change without the difficulty of filtering anthropogenic impacts. Both Palmyra Atoll and Kingman Reef support higher levels of coral and other cnidarian species diversity (180–190 species) than any other atoll or reef island in the central Pacific, twice as many as are found in Hawaii or Florida. Palmyra atoll has one of the best remaining examples of Pisonia grandis forest found in the Pacific region. This forest type has been lost or severely degraded over much of its range due to increased human population and development. Fish species diversity at Palmyra (418 species) is higher than, while that of Kingman (297 species) is comparable to, that of the other remote Pacific refuges. Many threatened, endangered, and depleted species thrive there, including the green and hawksbill turtle, pearl oyster, giant clams (the highest concentration in the Pacific Remote Island Area), reef sharks, Coconut crabs, groupers, humphead and Napoleon wrasse, bumphead parrotfish, and dolphins. Significant numbers of threatened green turtles forage at both atolls, especially at Palmyra; endangered Hawksbill sea turtles forage at both atolls. Large schools of rare Melon-headed whales reside off both atolls. A possibly new species of beaked whale was recently described from 2 specimens stranded at Palmyra and 1 at Christmas Island. Palmyra supports 11 nesting seabird species including the third-largest Red-footed Booby colony in the

world. Large numbers of Bristle-thighed Curlews, a migratory shorebird of conservation significance, winter at Palmyra.

Whereas Wake, Baker, Howland, and Jarvis Islands, Johnston Atoll, Kingman Reef, and Palmyra Atoll and their surrounding waters contain objects of historic or scientific interest that are situated upon lands owned or controlled by the Government of the United States;

Whereas the Department of Defense has historically maintained facilities, defensive areas, and airspace reservations at Wake Island and Johnston Atoll;

Whereas the United States continues to act in accordance with the balance of interests relating to traditional uses of the oceans recognizing freedom of navigation and overflight and other internationally recognized lawful uses of the sea;

Whereas section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431)(the "Antiquities Act") authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon lands owned or controlled by the Government of the United States to be national monuments, and to reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected;

Whereas it is in the public interest to preserve the marine environment around the islands of Wake, Baker, Howland, and Jarvis Islands, Johnston Atoll, Kingman Reef, and Palmyra Atoll for the care and management of the historic and scientific objects therein:

Now, Therefore, I, George W. Bush, President of the United States of America, by the authority vested in me by section 2 of the Antiquities Act, do proclaim that there are hereby set apart and reserved as the Pacific Remote Islands Marine National Monument (the "monument" or "marine national monument") for the purpose of protecting the objects identified above, all lands and interests in lands owned or controlled by the Government of the United States within the boundaries described below and depicted on the accompanying maps entitled "Pacific Remote Islands Marine National Monument" attached to and forming a part of this proclamation. The monument includes the waters and submerged and emergent lands of the Pacific Remote Islands to the lines of latitude and longitude depicted on the accompanying maps, which lie approximately 50 nautical miles from the mean low water lines of Wake, Baker, Howland, and Jarvis Islands, Johnston Atoll, Kingman Reef, and Palmyra Atoll. The Federal land and interests in land reserved consists of approximately 86,888 square miles, which is the smallest area compatible with the proper care and management of the objects to be protected.

All Federal lands and interests in lands within the boundaries of this monument are hereby withdrawn from all forms of entry, location, selection, sale, leasing, or other disposition under the public land laws to the extent that those laws apply. Lands and interests in lands within the monument not owned or controlled by the United States shall be reserved as a part of the monument upon acquisition of title or control by the United States.

Management of the Marine National Monument

The Secretary of the Interior, in consultation with the Secretary of Commerce, shall have responsibility for management of the monument, including out to 12 nautical miles from the mean low water lines of Wake, Baker, Howland, and Jarvis Islands, Johnston Atoll, Kingman Reef, and Palmyra Atoll, pursuant to applicable legal authorities. However, the Secretary of Defense shall continue to manage Wake Island, according to the terms and conditions of an Agreement between the Secretary of the Interior and Secretary of the Air Force, unless and until such Agreement is terminated. The Secretary of Commerce, through the National Oceanic and Atmospheric Administration, and in consultation with the Secretary of the Interior, shall have primary responsibility for management of the monument seaward of the area 12 nautical miles of the mean low water lines of Wake, Baker, Howland, and Jarvis Islands, Johnston Atoll, Kingman Reef, and Palmyra Atoll, with respect to fishery-related activities regulated pursuant to the Magnuson-Stevens

Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*) and any other applicable legal authorities. The Secretaries of Commerce and the Interior shall not allow or permit any appropriation, injury, destruction, or removal of any feature of this monument except as provided for by this proclamation and shall prohibit commercial fishing within boundaries of the monument.

The Secretaries of the Interior and of Commerce shall take appropriate action pursuant to their respective authorities under the Antiquities Act and the Magnuson-Stevens Fishery Conservation and Management Act, and such other authorities as may be available to implement this proclamation, to regulate fisheries, and to ensure proper care and management of the monument.

Regulation of Scientific Exploration and Research

Subject to such terms and conditions as the respective Secretary deems necessary for the care and management of the objects of this monument, the Secretary of the Interior may permit scientific exploration and research within the monument, including incidental appropriation, injury, destruction, or removal of features of this monument for scientific study, and the Secretary of Commerce may permit fishing within the monument for scientific exploration and research purposes to the extent authorized by the Magnuson-Stevens Fishery Conservation and Management Act. The prohibitions required by this proclamation shall not restrict scientific exploration or research activities by or for the Secretaries, and nothing in this proclamation shall be construed to require a permit or other authorization from the other Secretary for their respective scientific activities.

Regulation of Fishing and Management of Fishery Resources

The respective Secretaries may permit noncommercial fishing upon request, at specific locations in accordance with this proclamation. Noncommercial fishing opportunities currently allowed by the U.S. Fish and Wildlife Service at Palmyra Atoll may continue unless the Secretary of the Interior determines such fishing would not be compatible with the purposes of the Palmyra Atoll National Wildlife Refuge. The Secretary shall provide a process to ensure that recreational fishing shall be managed as a sustainable activity in certain areas of the monument, consistent with Executive Order 12962 of June 7, 1995, as amended, and other applicable law.

Monument Management Planning

The Secretaries of the Interior and Commerce shall, within 2 years of the date of this proclamation, prepare management plans within their respective authorities and promulgate implementing regulations that address any further specific actions necessary for the proper care and management of the objects identified in this proclamation at Baker, Howland, and Jarvis Islands, Kingman Reef, and Palmyra Atoll. The Secretaries shall revise and update the management plans as necessary. The Secretary of the Interior shall revise the management plan to incorporate measures for the management of Johnston Atoll within 2 years of the date that the Department of Defense terminates its use of Johnston Atoll. If the Secretary of the Air Force terminates the Agreement regarding its use of Wake Island, the Secretary of the Interior shall revise the management plan to incorporate Wake Island management within 2 years of the date that the Air Force terminates its use of Wake Island. In developing and implementing any management plans and any management rules and regulations, the Secretaries shall consult and designate and involve as cooperating agencies the agencies with jurisdiction or special expertise, including the Department of Defense, in accordance with the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*), its implementing regulations, and with Executive Order 13352, of August 26, 2004, Facilitation of Cooperative Conservation.

The management plans and their implementing regulations shall impose no restrictions on innocent passage in the territorial sea or otherwise restrict navigation and overflight and other internationally recognized lawful uses of the sea in the monument and shall incorporate the provisions of this proclamation regarding Armed Forces actions and compliance with international law.

This proclamation shall be applied in accordance with international law. No restrictions shall apply to or be enforced against a person who is not a citizen, national, or resident alien of the United States (including foreign flag vessels) unless in accordance with international law.

Emergencies, National Security, and Law Enforcement Activities

1. The prohibitions required by this proclamation shall not apply to activities necessary to respond to emergencies threatening life, property, or the environment, or to activities necessary for national security or law enforcement purposes.

2. Nothing in this proclamation shall limit agency actions to respond to emergencies posing an unacceptable threat to human health or safety or to the marine environment and admitting of no other feasible solution.

Armed Forces Actions

1. The prohibitions required by this proclamation shall not apply to activities and exercises of the Armed Forces (including those carried out by the United States Coast Guard).

2. The Armed Forces shall ensure, by the adoption of appropriate measures not impairing operations or operational capabilities, that its vessels and aircraft act in a manner consistent, so far as is reasonable and practicable, with this proclamation.

3. In the event of threatened or actual destruction of, loss of, or injury to a monument resource or quality resulting from an incident, including but not limited to spills and groundings, caused by a component of the Department of Defense or the United States Coast Guard, the cognizant component shall promptly coordinate with the Secretary of the Interior or Commerce, as appropriate, for the purpose of taking appropriate actions to respond to and mitigate any actual harm and, if possible, restore or replace the monument resource or quality.

4. Nothing in this proclamation or any regulation implementing it shall limit or otherwise affect the Armed Forces' discretion to use, maintain, improve, manage, or control any property under the administrative control of a Military Department or otherwise limit the availability of such property for military mission purposes, including, but not limited to, defensive areas and airspace reservations.

The establishment of this monument is subject to valid existing rights.

This proclamation is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies, instrumentalities, or entities, its officers, employees, agents, or any other person.

Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the national monument shall be dominant over any other existing federal withdrawal, reservation, or appropriation.

Warning is hereby given to all unauthorized persons not to appropriate, excavate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any lands thereof.

In Witness Whereof, I have hereunto set my hand this sixth day of January, in the year of our Lord two thousand nine, and of the Independence of the United States of America the two hundred and thirty-third.

George W. Bush

[Filed with the Office of the Federal Register, 8:45 a.m., January 9, 2009]

NOTE: This proclamation and its annex were published in the *Federal Register* on January 12.

Proclamation 8337—Establishment of the Rose Atoll Marine National Monument

January 6, 2009

By the President of the United States of America

A Proclamation

In the Pacific Ocean approximately 130 nautical miles east-southeast of Pago Pago Harbor, American Samoa, lies Rose Atoll—the easternmost Samoan island and the southernmost point of the United States. This small atoll, which includes the Rose Atoll National Wildlife Refuge with about 20

acres of land and 1,600 acres of lagoon, remains one of the most pristine atolls in the world. The lands, submerged lands, waters, and marine environment around Rose Atoll support a dynamic reef ecosystem that is home to a very diverse assemblage of terrestrial and marine species, many of which are threatened or endangered.

One of the most striking features of Rose Atoll is the pink hue of fringing reef caused by the dominance of coralline algae, which is the primary reef-building species. Though there are roughly 100 species of stony corals, the shallow reefs are dominated by crustose coralline algae, making them distinctive and quite different from those found at other Samoan islands. The marine area provides isolated, unmolested nesting grounds for green and hawksbill turtles and has the largest number of nesting turtles in American Samoa. Its waters are frequented by numerous large predators: whitetip reef sharks, blacktip reef sharks, gray reef sharks, snappers, jacks, groupers, and barracudas. Species that have faced depletion elsewhere, some of which have declined worldwide by as much as 98 percent, are found in abundance at Rose Atoll, including giant clams, Maori wrasse, large parrotfishes, and blacktip, whitetip, and gray reef sharks. Humpback whales, pilot whales, and the porpoise genus Stenella have all been spotted at Rose Atoll. There are 272 species of reef fish, with seven species first described by scientists at Rose and dozens more new species discovered on the first deep water dive to 200 meters. Recent submersible dives around Rose Atoll have revealed abundant marine life, deep sea coral forests, and several new fish and invertebrate species.

Rose Atoll supports most of the seabird population of American Samoa, including 12 federally protected migratory seabirds, five species of federally protected shorebirds, and a migrant forest bird, the long-tailed cuckoo. Rare species of nesting petrels, shearwaters, and terns are thriving at Rose Atoll and increasing in number. The atoll is known to Samoans, who have periodically visited over the past millennium, as "Nu'u O Manu" ("Village of seabirds"). It is believed that Polynesians have harvested at Rose Atoll for millennia and several species, such as the giant clam, were used for cultural celebrations and events. Few relatively undisturbed islands remain in the world and Rose Atoll is one of the last remaining refuges for the seabird and turtle species of the Central Pacific. Threatened Pisonia atoll forest trees are also found at Rose Atoll.

Whereas the lands, submerged lands, and waters of and marine environment around Rose Atoll contain objects of historic or scientific interest that are situated upon lands owned or controlled by the Government of the United States;

Whereas the United States continues to act in accordance with the balance of interests relating to traditional uses of the oceans recognizing freedom of navigation and overflight and other internationally recognized lawful uses of the sea;

Whereas section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431) (the "Antiquities Act") authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon lands owned or controlled by the Government of the United States to be national monuments, and to reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected;

Whereas it is in the public interest to preserve the lands, submerged lands and waters of, and marine environment around Rose Atoll as necessary for the care and management of the historic and scientific objects therein:

Now, Therefore, I, George W. Bush, President of the United States of America, by the authority vested in me by section 2 of the Antiquities Act, do proclaim that there are hereby set apart and reserved as the Rose Atoll Marine National Monument (the "monument" or "marine national monument") for the purpose of protecting the objects described in the above preceding paragraphs, all lands and interests in lands owned or controlled by the Government of the United States within the boundaries that lie approximately 50 nautical miles from the mean low water line of Rose Atoll as depicted

on the accompanying map entitled "Rose Atoll Marine National Monument" attached to and forming a part of this proclamation. The Federal land and interests in land reserved consists of approximately 13,451 square miles of emergent and submerged lands and waters of and around Rose Atoll in American Samoa, which is the smallest area compatible with the proper care and management of the objects to be protected.

All Federal lands and interests in lands within the boundaries of this monument are hereby withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws to the extent that those laws apply.

Management of the Marine National Monument

The Secretary of the Interior shall have management responsibility for the monument, including Rose Atoll National Wildlife Refuge, in consultation with the Secretary of Commerce, except that the Secretary of Commerce, through the National Oceanic and Atmospheric Administration, shall have the primary management responsibility regarding the management of the marine areas of the monument seaward of mean low water, with respect to fishery-related activities regulated pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*), and any other applicable authorities. The Secretary of Commerce shall initiate the process to add the marine areas of the monument to the Fagatele Bay National Marine Sanctuary in accordance with the National Marine Sanctuaries Act (16 U.S.C. 1431 *et seq.*), including its provision for consultation with an advisory council, to further the protection of the objects identified in this proclamation. In developing and implementing any management plans and any management rules and regulations, the Secretary of Commerce shall consult with the Secretary of the Interior and shall designate and involve as cooperating agencies the agencies with jurisdiction or special expertise, including the Department of State, the Department of Defense, and other agencies through scoping in accordance with the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*), its implementing regulations and with Executive Order 13352 of August 26, 2004, Facilitation of Cooperative Conservation, and shall treat as a cooperating agency the Government of American Samoa, consistent with these authorities.

The Secretary of the Interior shall continue to manage the Rose Atoll National Wildlife Refuge consistent with the protection of the objects identified in this proclamation. The Secretary of the Interior shall, in developing any management plans and any management rules and regulations governing the Rose Atoll National Wildlife Refuge, comply with the National Environmental Policy Act and consult with the Secretary of Commerce.

For the purposes of protecting the objects identified above, the Secretaries of the Interior and Commerce, respectively, shall not allow or permit any appropriation, injury, destruction, or removal of any feature of this monument except as provided for by this proclamation or as otherwise provided for by law.

Regulation of Scientific Exploration and Research

Subject to such terms and conditions as the Secretaries deem necessary for the care and management of the objects of this monument, the Secretary of the Interior may permit scientific exploration and research within the monument, including incidental appropriation, injury, destruction, or removal of features of this monument for scientific study, and the Secretary of Commerce may permit fishing within the monument for scientific exploration and research purposes to the extent authorized by the Magnuson-Stevens Fishery Conservation and Management Act. The prohibitions required by this proclamation shall not restrict scientific exploration or research activities by or for the Secretaries, and nothing in this proclamation shall be construed to require a permit or other authorization from the other Secretary for their respective scientific activities.

Regulation of Fishing and Management of Fishery Resources

The Secretaries shall prohibit commercial fishing within the monument. Subject to such

terms and conditions as the Secretaries deem necessary for the care and management of the objects of this monument, the Secretaries may permit noncommercial and sustenance fishing or, after consultation with the Government of American Samoa, traditional indigenous fishing within the monument. The Secretaries of the Interior and Commerce, respectively, in consultation with the Government of American Samoa, shall provide for a process to ensure that recreational fishing shall be managed as a sustainable activity consistent with Executive Order 12962 of June 7, 1995, as amended, and other applicable law.

This proclamation shall be applied in accordance with international law. No restrictions shall apply to or be enforced against a person who is not a citizen, national, or resident alien of the United States (including foreign flag vessels) unless in accordance with international law. The management plan and implementing regulations shall impose no restrictions on innocent passage in the territorial sea or otherwise restrict navigation and overflight and other internationally recognized lawful uses of the sea in the monument and shall incorporate the provisions of this proclamation regarding Armed Forces actions and compliance with international law.

Nothing in this proclamation shall be deemed to diminish or enlarge the jurisdiction of the Government of American Samoa. The Secretaries of the Interior and Commerce shall, in developing any management plans and any management rules and regulations governing the marine areas of the monument, as described above, consult with the Government of American Samoa.

Emergencies, National Security, and Law Enforcement Activities

1. The prohibitions required by this proclamation shall not apply to activities necessary to respond to emergencies threatening life, property, or the environment, or to activities necessary for national security or law enforcement purposes.

2. Nothing in this proclamation shall limit agency actions to respond to emergencies posing an unacceptable threat to human health or safety or to the marine environment and admitting of no other feasible solution.

Armed Forces Actions

1. The prohibitions required by this proclamation shall not apply to activities and exercises of the Armed Forces (including those carried out by the United States Coast Guard).

2. The Armed Forces shall ensure, by the adoption of appropriate measures not impairing operations or operational capabilities, that its vessels and aircraft act in a manner consistent, so far as is reasonable and practicable, with this proclamation.

3. In the event of threatened or actual destruction of, loss of, or injury to a monument living marine resource resulting from an incident, including but not limited to spills and groundings, caused by a component of the Department of Defense or the United States Coast Guard, the cognizant component shall promptly coordinate with the Secretary of the Interior or Commerce, as appropriate for the purpose of taking appropriate actions to respond to and mitigate any actual harm and, if possible, restore or replace the monument resource or quality.

4. Nothing in this proclamation or any regulation implementing it shall limit or otherwise affect the Armed Forces' discretion to use, maintain, improve, manage, or control any property under the administrative control of a Military Department or otherwise limit the availability of such property for military mission purposes.

The establishment of this monument is subject to valid existing rights.

This proclamation is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the national monument shall be dominant over any other existing Federal withdrawal, reservation, or appropriation.

Warning is hereby given to all unauthorized persons not to appropriate, excavate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any lands thereof.

In Witness Whereof, I have hereunto set my hand this sixth day of January, in the year of our Lord two thousand nine, and of the Independence of the United States of America the two hundred and thirty-third.

George W. Bush

[Filed with the Office of the Federal Register, 8:45 a.m., January 9, 2009]

NOTE: This proclamation and its annex were published in the *Federal Register* on January 12.

Remarks During a Meeting With Former Presidents and the Incoming President

January 7, 2009

I want to thank the President-elect for joining the ex-Presidents for lunch. I am—one message that I have, and I think we all share, is that we want you to succeed. Whether we're a Democrat or Republican, we care deeply about this country. And to the extent we can, we look forward to sharing our experiences with you. All of us who have served in this office itself understand that the office transcends the individual. And we wish you all the very best, and so does the country.

NOTE: The President spoke at 12 p.m. in the Oval Office at the White House. Participating in the meeting were former Presidents Jimmy Carter, George H.W. Bush, and William J. Clinton; and President-elect Barack Obama. The transcipt released by the Office of the Press Secretary also included the remarks of President-elect Obama. The Office of the Press Secretary also released a Spanish language transcript of these remarks.

Remarks Honoring the Points of Light Institute

January 7, 2009

Thank you all. Mr. President—[*laughter*]—yes? No—[*laughter*]. Thank you all for coming. I'm told there is seven speakers. So there's now about to be six. I thank you for—I welcome you to the White House. I hope you take advantage of the reception that we have after these seven short speeches. And I want to thank you for your compassion.

The strength of America is not our military, it's not our wallet; it is—lies in the hearts and souls of our citizens, those who hear the universal call to love a neighbor just like they'd like to be loved themselves.

And so, for those of you who are rallying the armies of compassion, and encouraging the armies of compassion, we thank you.

And now it is my honor to introduce my brother Neil M. Bush.

NOTE: The President spoke at 3:56 p.m. in the East Room at the White House. In his remarks, he referred to former President George H.W. Bush. The transcript released by the Office of the Press Secretary also included the remarks of former President Bush.

Remarks on the No Child Left Behind Act in Philadelphia, Pennsylvania

January 8, 2009

The President. Thank you for the warm welcome. And Laura and I are thrilled to be here at Kearny School. We have come because this is one of the really fine schools in the city of Philadelphia. We bring greetings from the Nation's Capital, but more importantly, we bring appreciation for those who are working so hard to make sure that every child can learn.

You know, 7 years ago today, I had the honor of signing a bill that forever changed America's school systems. It was called the No Child Left Behind Act. I firmly believe that thanks to this law, more students are learning, an achievement gap is closing. And on this anniversary, I have come to talk about why we need to keep the law strong. If you find a piece of legislation that is working, it is important to make sure the underpinnings of that law remain strong.

I do want to thank Laura for joining me. She has been an awesome wife and a great First Lady. Our journey together in Washington has been fantastic, and I thank her very much for her love.

I am proud to be here with Arlene Ackerman. Thank you for your introduction, Arlene, and thank you for being—[*applause*]. Arlene is a reform-minded leader. And by that, I mean you have a superintendent here who is willing to challenge the status quo if the status quo is unacceptable. Sometimes that's hard in public life. You see the status quo, and people are saying, "Oh, let's just leave it the way it is; it's too hard to change." And you have a superintendent here that says, "If we're finding failure, we're going to change." And I want to thank you for taking on this important assignment.

I'm proud to be here with my buddy. I guess it's okay to call the Secretary of Education your buddy; that means friend. And she has been our friend for a long time. She is a great Secretary of Education. And, Margaret, I want to thank you for being here.

I want to thank the senior Senator—I guess it's okay to call you senior—Arlen Specter. He is a good friend, and he cares a lot about the State of Pennsylvania and the education systems in the State. So thank you for coming, my friend.

Jerry Zahorchak is with us, the Pennsylvania Department of Education Secretary. Jerry, thank you for being here, and thank you for serving.

I want to thank all the State and local officials; particularly, the State representative from this district has kindly come by to say hello and participate in a roundtable we just had.

Roy Romer, former Governor of Colorado, and an education reformer, has just spoken, and I want to thank Roy. He happens to be the chairman of Strong American Schools. It's got a nice ring to it, doesn't it? Strong American Schools. That means schools that actually teach people how to read, write, and add and subtract. At least that's my definition of strong American schools.

I want to thank very much the Reverend Al Sharpton. Now, some of you are probably about to fall out of your chair—[*laughter*]—when you know that Al and I have found common ground. And by the way, it's on an important issue. See, he cares just as much as I care about making sure every child learns to read, write, and add and subtract. And I want to thank you for your leadership on this issue, and I appreciate you being here.

I want to thank the teachers who work here. I particularly want to thank Principal Spagnola for her leadership. And the thing about educators—first of all, every good school has got a principal who is a good principal. That's generally the key ingredient to success, somebody who can set high standards and motivate. And this principal can do just that.

And for the teachers, thank you for taking on a noble profession. Laura and I are proud to report that one of our daughters is a teacher, and it makes us feel just incredibly great to know that we've raised a child who is willing to take on an important task of teaching a child to be able to have the skills necessary to succeed in life.

There are a lot of reformers here, and I welcome the reformers. These are people from society who say, "I want to help the school system succeed." When I got off Air Force One today, I met Adam Bruckner. I mentioned to some kids, "Have you ever heard of Adam Bruckner?" And they said, "You're talking about Mr. Adam." I said, "That's who I'm talking about." He is volunteer; he's a mentor. He happens to be a professional soccer coach, which means he knows how to play soccer, and he is willing to lend his skills, and more importantly, his heart, to teach a child the beauty of being a sports person and the lessons of life that come from good competition.

And so I want to thank you very much, Adam, for being here and representing all the folks who volunteer at this program.

At the end of the Presidency, you get to do a lot of lasts. I don't know if you saw on TV, but I pardoned my last Thanksgiving turkey. [*Laughter*] This is my last policy speech. As President of the United States, this is the last policy address I will give. What makes it interesting is that it's the same subject of my first policy address as President of the United States, which is education and education reform.

I hope you can tell that education is dear to my heart. I care a lot about whether or not our children can learn to read, write, and add and subtract. When I was a Governor of Texas, I didn't like it one bit when I'd

go to schools in my State and realize that children were not learning so they could realize their God-given potential. I didn't like it because I knew the future of our society depended upon a good, sound education.

I was sharing this story with people that Laura and I just met with, and at the time I went to a high school in my State, one of our big city high schools. And I said, "Man, thanks for teaching." I met this teacher. I think his name is Brown, if I'm not mistaken——

Secretary of Education Margaret Spellings. Nelson Brown.

The President. ——Nelson Brown—and he taught geography and history, if I'm not mistaken. I said, "How is it going, Mr. Brown?" He said, "It's going lousy." I said, "Why?" He said, "Because my kids cannot read, and they're in high school." You see, the system was just satisfied with just shuffling kids through—if you're 14 you're supposed to be here, if you're 16 you're supposed to be there. Rarely was the question asked: Can you read? Or can you write? Or can you add and can you subtract?

And so we decided to do something about it. We said such a system is unacceptable to the future of our State. And that's the spirit we brought to Washington, DC. It's unacceptable to our country that vulnerable children slip through the cracks. And by the way, guess who generally those children are? They happen to be inner-city kids, or children whose parents don't speak English as a first language. They're the easiest children to forget about.

We saw a culture of low expectations. You know what happens when you have low expectations? You get lousy results. And when you get lousy results, you have people who say, "There's no future for me in this country."

And so we decided to do something about it. We accepted the responsibility of the office to which I had been elected. It starts with this concept: Every child can learn. We believe that it is important to have a high quality education if you're—one is going to succeed in the 21st century. It's no longer acceptable to be cranking people out of the school system and saying, "Okay, just go—you know, you can make a living just through manual labor alone." That's going to happen for some, but it's not the future of America, if we want to be a competitive nation as we head into the 21st century.

We believe that every child has dignity and worth. But it wasn't just me who believed that. Fortunately, when we got to Washington, a lot of other people believed it—Democrats and Republicans. I know there's a lot of talk about how Washington is divided, and it has been at times, at times. And it can get awfully ugly in Washington. But nevertheless, if you look at the history over the past 8 years, there have been moments where we have come together. And the No Child Left Behind Act is one such moment.

It gives me a chance now to thank Senator Kennedy of Massachusetts, Senator Gregg of New Hampshire, Congressman Miller of California, Congressman Boehner of Ohio, Republicans and Democrats who worked together to get this piece of legislation passed. I believe that in signing that bill we enacted the most sweeping education reforms in a long, long time.

The philosophy behind the law is pretty straightforward: Local schools remain under local control. In exchange for Federal dollars, however, we expect results. We're spending money on schools, and shouldn't we determine whether or not the money we're spending is yielding the results society expects?

So States set standards. One reason this school makes sense is because you have a principal who sets high standards, keeps that bar high. And we hold schools accountable for meeting the standards. There—we set an historic goal that—and that is to—every child should learn to read and do math at grade level by 2014.

The key to measuring is to test. And by the way, I've heard every excuse in the book why we should not test—"Oh, there's too many tests; you teach the test; testing is intrusive; testing is not the role of government." How can you possibly determine whether a child can read at grade level if you don't test? And for those who claim we're teaching the test, uh-uh. We're teaching a child to read so he or she can pass the test.

Testing is important to solve problems. You can't solve them unless you diagnose the

problem in the first place. Testing is important to make sure children don't slip too far behind. The facts are, if you get too far behind in reading, for example, it's nearly impossible to catch up. That's why it's important to test early.

Measuring results allows us to focus resources on children who need extra help. And measuring gives parents something to compare other schools with. You oftentimes hear, "Oh, gosh, I wish parents were more involved." Well, one way to get parental involvement is to post results. Nothing will get a parent's attention more than if he or she sees that the school her child goes to isn't performing as well as the school around the corner.

Measurement is essential to success. When schools fall short of standards year after year, something has to happen. In other words, there has to be a consequence in order for there to be effective reforms. And one such thing that can happen is parents can enroll their children in another school. It's—to me, measurement is the gateway to true reform, and measurement is the best way to ensure parental involvement.

By the way, school choice was only open to rich people up until No Child Left Behind. It's hard for a lot of parents to be able to afford to go to any other kind of school but their neighborhood school. And now, under this system, if your public school is failing, you'll have the option of transferring to another public school or charter school. And it's—I view that as liberation; I view that as empowerment.

There's been a lot of debates about the requirements of No Child Left Behind. No question, a piece of legislation like this encourages debate, and that's fine. That's part of the democratic process. But there is no debate about the results: the first time all 50 States and the District of Columbia have accountability plans in place. The data is being disaggregated. That means that we—instead of just lumping all children together and say, "Oh, isn't everything beautiful," we actually break each child out to determine whether or not he or she is getting the kind of education parents and society expects. And that's an important reform.

Instead of looking the other way when students are falling behind, policymakers at all levels are now beginning to be focused on how to close the achievement gap. Achievement gap is—it means this: White students are reading here, and African American students are reading here, and Latino students are reading down here. And that is unacceptable for the United States of America.

In the classroom, students are learning from highly qualified teachers. In other words, that's part of the reforms of encouraged—the focus on highly qualified teachers. Schools have adopted research-proven strategies for reading instruction. There's a lot of debate, if you follow the public education debates closely, that there's a lot of debate about what's the best kind of reading program as to how to best teach a child to read. Well, when you measure, it helps you determine which system works the best. The principal was describing to us, we're always adjusting and looking to make sure our education is—fits each individual child. In other words, she's constantly analyzing her instruction strategies, and a measurement system allows you to do so.

There's a new Teacher Incentive Fund in place, as a result of No Child Left Behind reforms, and a city like Philadelphia are rewarding educators for taking jobs in this city's toughest classrooms, and those who are achieving results. In other words, there's an incentive to make sure good teachers get in the classrooms all throughout the city. And by the way, this is happening all across our country.

You know, I mentioned disclosure. More and more districts are producing annual report cards, and that's really important. And I did mention to you what they call supplemental services. Under the No Child Left Behind Act, when you find a disadvantaged child falling behind where he or she should be, there's extra money for tutoring. And across the country there's now about a half a million students benefitting from the tutoring that comes from No Child Left Behind. It makes sense, doesn't it? It says we're going to measure, and if we determine you need extra help, here's some money to help you so that you don't fall behind, so that you catch up.

The number of charter schools, by the way, has more than doubled over the past 7 years. Charter schools provide good outlets. And I met the head of the—president of the charter school association here in Philadelphia. He said 10 years ago there were four, and today there are—yes, a lot. [*Laughter*] When you get over 60, it's hard to hear. [*Laughter*]

The most important result of the No Child Left Behind is this: Fewer students are falling behind; more students are achieving high standards. We have what's called the Nation's Report Card. For those who wonder whether or not we should strengthen No Child Left Behind, I want you to hear this: 4th graders earned the highest reading and math scores in the history of the test. Minority and disadvantaged students made some of the largest gains, with African Americans and Hispanics posting alltime highs in several categories.

No Child Left Behind is working for all kinds of students in all kinds of schools in every part of the country. That is a fact. There's still a long way to go, however. Secretary Spellings has worked hard to give schools tools and flexibility. She issued new regulations that will reward schools for progress students make from year to year. She helps to provide programs that provide a clear graduation rate. And one of the problems we've had, of course, is getting enough information out in a timely fashion to empower parents to be able to make wise decisions about the future of their children. And she has worked steadily to make sure that information gets to parents in a timely fashion.

Obviously, there's—a piece of legislation like this takes compromise. But there is no compromise to the basic premise of No Child Left Behind, and that is we need to measure on a clear set of goals. We need a few goals that have got maximum impact, and we need to know whether or not those goals are being met. People say, "Can you possibly meet the goal you set?" And the answer is, absolutely can we meet the goals that we've set. And not only is it absolutely—confident we can meet it, I know it is necessary that we do meet those goals.

Laura and I have been privileged to travel to schools over the past 8 years such as this, and you'd be amazed at what we get to see. We get to see hard-working, decent citizens who dedicate their lives to making sure no child is left behind. And we have seen innovators who are willing to try different approaches to achieve the same result. So we went to Harlem to see a school district there. They attend school for 10 hours a day. So the educators, taking advantage of local control, said, "What is it required to make sure that we meet high standards?" In this case, the educators said, "Well, we need to have school 10 hours a day." The teachers give parents their cell phone numbers, so that they can be called anytime. And as the teachers told us, they do get called anytime—[*laughter*]—to help solve problems. I was just thankful that there weren't cell phones when I was going to elementary school. [*Laughter*]

I have seen the resolve for reform and the belief in high standards in Chicago, where reading and math scores are soaring, and where every child still has time to study a foreign language and the fine arts. The school in Chicago we went to, like other schools across the city, have benefitted from the vision and leadership of a person named Arne Duncan, and he is going to be the next Secretary of Education. And we are fortunate he has agreed to take on this position. And we wish him all the very best.

Laura and I will never forget the resolve that we saw in New Orleans after Katrina, and the determination by principals and teachers to get their schools up and running—and they did. And by the way, they have placed innovation at the center of a rebuilding school system. They believe in high standards and accountability to make sure that out of the rubble of Katrina comes a world-class education system.

And we've seen the resolve here at Kearny. That's why we're here. Every year—we met a mom, who told us her twins now come to this school. You know, it's interesting what happens when you post scores. Nobody cares more about a child's education, obviously, than the first teacher a child has, which is a parent. And this notion about how parents really don't seem to care—they care, believe

me. And when there's transparency in the system it helps them make informed choices. And so mom was saying her twins come here. She also said, by the way, they weren't really reading up to snuff initially, and yet they got extra help. And now, guess what? They're reading up to snuff. Kearny School works.

They commute for miles. Some of the families commute for miles because they understand it's a place of excellence. This is a school where a lot of community and faith-based groups come to help. And that is really great of you to do that. And by the way, it happens in other schools too. And if you're interested in how you can serve America, why don't you volunteer in your local school? If you want to be a member of the army of compassion in America, help your schools. Help your schools help each child realize their God-given potential.

I believe that it is going to be important for our citizens to take a hard look at No Child Left Behind, and listen to the facts of No Child Left Behind, and then say with clear voice, for the sake of our children's future, this good law needs to be strengthened and reauthorized by the United States Congress.

There is a growing consensus across the country that now is not the time to water down standards or to roll back accountability. There is a growing consensus that includes leaders of the business communities across America who see an increasingly global economy and, therefore, believe in standards and accountability. There's a growing consensus amongst leaders of civil rights organizations, like La Raza, and the Urban League, and the Education Equality Project. These leaders refuse to accept what I have called the soft bigotry of low expectations. There's a growing consensus—includes a lot of parents, and superintendents, and mayors, and Governors who insist that we put our children first.

And so I've come to herald the success of a good piece of legislation. I have come to talk to our citizens about the results this reform has yielded. And I call upon those who can determine the fate of No Child Left Behind in the future to stay strong in the face of criticism, to not weaken the law—because in weakening the law, you weaken the chance for a child to succeed in America—but to strengthen the law for the sake of every child.

Thank you for letting us come by for the last policy address that we have been honored to make. God bless you.

NOTE: The President spoke at 11:19 a.m. at General Philip Kearny School. In his remarks, he referred to Arlene C. Ackerman, superintendent of schools, school district of Philadelphia; political activist Rev. Alfred C. Sharpton; Eileen Spagnola, principal, General Philip Kearny School; Adam Bruckner, assistant coach, Philadelphia Kixx, Major Indoor Soccer League; and Lawrence Jones, president, Pennsylvania Coalition for Charter School.

Statement on the Death of Father Richard John Neuhaus

January 8, 2009

Laura and I are saddened by the death of Father Richard John Neuhaus. Father Neuhaus was an inspirational leader, admired theologian, and accomplished author who devoted his life to the service of the Almighty and to the betterment of our world. He was also a dear friend, and I have treasured his wise counsel and guidance.

Our thoughts and prayers are with Father Neuhaus's family, friends, and fellow clergy during this difficult time.

Statement on Senator Christopher S. "Kit" Bond's Decision Not To Seek Reelection

January 8, 2009

Senator Kit Bond has been a wonderful public servant and statesman for the people of Missouri. During more than three decades of service as Governor and United States Senator, Kit has been a tireless advocate for our children, our military, and our Nation's intelligence community. He played a vital role in the effort to modernize the Foreign Intelligence Surveillance Act. Because of his leadership, we are protecting the liberties of our citizens while gathering vital information we need to prevent attacks on our soil.

I have been honored to work with Senator Bond during my time as President, and Laura and I wish Kit, Linda, and their son, Samuel, all the best in the future.

Digest of Other White House Announcements

The following list includes the President's public schedule and other items of general interest announced by the Office of the Press Secretary and not included elsewhere in this issue.

January 3

In the morning, the President had an intelligence briefing.

January 5

In the morning, the President had an intelligence briefing.

In the evening, the President and Mrs. Bush hosted a dinner for the Joint Chiefs of Staff and combatant commanders. Later, he had a telephone conversation with Secretary of State Condoleezza Rice to discuss her January 6 trip to the United Nations.

The President declared a major disaster in Hawaii and ordered Federal aid to supplement State and local recovery efforts in the area struck by severe storms and flooding from December 10–16.

The President declared a major disaster in Massachusetts and ordered Federal aid to supplement Commonwealth and local recovery efforts in the area struck by a severe winter storm and flooding beginning on December 11 and continuing.

January 6

In the morning, the President had an intelligence briefing. Then, he and Mrs. Bush traveled to Fort Myer, VA, where they attended a military appreciation parade. Later, they returned to Washington, DC.

In the afternoon, the President and Mrs. Bush hosted a lunch for Secretary-General Ban Ki-moon of the United Nations and his wife, Yoo (Ban) Soon-taek.

During the day, the President had a telephone conversation with congressional leaders.

The President announced the designation of the following individuals as members of a Presidential delegation to Accra, Ghana, to attend the inauguration of President John Evans Atta Mills on January 7: Ronald A. Tschetter (head of delegation); Donald G. Teitelbaum; and R. Timothy Ziemer.

The President announced his intention to appoint Robert D. McCallum, Jr., as a member of the J. William Fulbright Foreign Scholarship Board.

The President announced his intention to appoint Martin Faga as a member of the Public Interest Declassification Board.

The President announced his intention to appoint the following individuals as members of the Panel of Conciliators of the International Centre for Settlement of Investment Disputes: James C. Boggs; William Burck; Ronald A. Cass; and Emmet Flood.

The President announced his intention to appoint Fred F. Fieldein and Daniel M. Price as members of the Panel of Arbitrators of the International Centre for Settlement of Investment Disputes.

The President announced his intention to appoint Raymond Loretto and Virgil Trujillo as members of the Board of Directors of the Valles Caldera Trust.

The President announced his intention to appoint the following individuals as members of the President's Council on Physical Fitness and Sports: David Allen Josserand (and, upon appointment, designate him as Chairman); Kirk M. Bauer (and, upon appointment, designate him as Vice Chairman); Steven Bornstein; Susan Lieberman Dell; Allyson Felix; Susan Finn; Diego Gutierrez; James W. Holsinger; Michelle Wing Kwan; Robert A. "Bobby" Labonte; Edward R. Laskowski; Elisha N. "Eli" Manning; David W. Marsh; Leslie E. "Les" Miles; Omar Minaya; Richard F. "Digger" Phelps; Ruth Riley; and Jason Sehorn.

The President announced his intention to appoint the following individuals as members of the U.S. Holocaust Memorial Council: Elliot Abrams; Joshua B. Bolten; Alan I. Casden; Michael Chertoff; William Danhof; Sanford Gottesman; Cheryl Feldman Halpern;

J. David Heller; Amy Kaslow; M. Ronald Krongold; Michael B. Mukasey; and Daniel Silva.

The President announced his intention to appoint Sally K. Mason, Robert Y. Moore, and Henry Yang as members of the President's Committee on the National Medal of Science.

The President announced his intention to appoint Nancy Ann Starnes and Hans A. Van Winkle as members of the Architectural and Transportation Barriers Compliance Board.

The President announced his intention to designate Lynne A. Osmus as Acting Administrator of the Federal Aviation Administration.

The President announced his intention to designate Susan E. Dudley as Acting Administrator of the Office of Information and Regulatory Affairs at the Office of Management and Budget.

January 7

In the morning, the President had an intelligence briefing. Later, he and former President George H.W. Bush participated in an interview with Brit Hume of FOX News. Then, in the Oval Office, he met with President-elect Barack Obama.

In the afternoon, in the Oval Office, the President participated in a photo opportunity with former Presidents Jimmy Carter, George H.W. Bush, and William J. Clinton and President-elect Barack Obama. Then, in the Private Dining Room, he hosted a lunch for the former Presidents and President-elect Obama. Later, at DAR Constitution Hall, he made remarks to Presidential appointees.

January 8

In the morning, the President had an intelligence briefing. Later, he and Mrs. Bush traveled to Philadelphia, PA, where, at the General Philip Kearny School, he met with USA Freedom Corps volunteer Adam Bruckner. They then visited several classrooms and met with students.

Later in the morning, the President and Mrs. Bush participated in a roundtable discussion on the No Child Left Behind Act.

In the afternoon, the President and Mrs. Bush returned to Washington, DC.

January 9

In the morning, the President had an intelligence briefing. Later, at the Bolling Club at Bolling Air Force Base, he visited with White House Communications Agency and White House Transportation Agency staff.

The President declared a major disaster in Maine and ordered Federal aid to supplement State and local recovery efforts in the area struck by a severe winter storm and flooding from December 11–29.

Nominations Submitted to the Senate

The following list does not include promotions of members of the Uniformed Services, nominations to the Service Academies, or nominations of Foreign Service officers.

Submitted January 8

Stuart Gordon Nash,
of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of 15 years, vice Rufus Gunn King, III, retired.

Checklist of White House Press Releases

The following list contains releases of the Office of the Press Secretary that are neither printed as items nor covered by entries in the Digest of Other White House Announcements.

Released January 5

Transcript of a press briefing by Press Secretary Dana Perino

Transcript of a teleconference press briefing by Council on Environmental Quality Chairman James L. Connaughton

Statement by National Security Adviser Stephen J. Hadley announcing the President's approval of the airlift of equipment for the United Nations/African Union Mission in Darfur (UNAMID)

Statement by the Press Secretary on disaster assistance to Hawaii

Statement by the Press Secretary on disaster assistance to Massachusetts

Released January 6

Transcript of a press briefing by Press Secretary Dana Perino

Statement by the Press Secretary on ratification for the Protocol Additional to the Agreement between the United States of America and the International Atomic Energy Agency for the Application of Safeguards in the United States of America

Fact sheet: Marine National Monuments

Fact sheet: President Bush Has Advanced Cooperative Conservation

Released January 7

Transcript of a press briefing by Press Secretary Dana Perino

Transcript of remarks by National Security Adviser Stephen J. Hadley at the Center for Strategic and International Studies

Transcript of remarks by Assistant to the President for Homeland Security and Counterterrorism Kenneth L. Wainstein on WMD-Terrorism at the Washington Institute for Near East Policy

Released January 8

Transcript of a press gaggle by Deputy Press Secretary Scott M. Stanzel

Fact sheet: No Child Left Behind Has Raised Expectations and Improved Results

Released January 9

Transcript of a press briefing by Deputy Press Secretary Scott M. Stanzel

Statement by the Press Secretary on disaster assistance to Maine

Acts Approved by the President

NOTE: No acts approved by the President were received by the Office of the Federal Register during the period covered by this issue.e.